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FM AMEMBASSY HARARE

TO RUEHC/SECSTATE WASHDC 4978

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SENSITIVE

SIPDIS

AF/S FOR B. WALCH

DRL FOR N. WILETT

ADDIS ABABA FOR USAU

ADDIS ABABA FOR ACSS

NSC FOR SENIOR AFRICA DIRECTOR M. GAVIN

STATE PASS TO USAID FOR L. DOBBINS AND E. LOKEN

STATE PASS TO DOL FOR S. HALEY

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SUBJECT: ZIM POLICE SHOOT STRIKING LABOR LEADERS

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SUMMARY  
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¶1. (U) In a recent meeting, Zimbabwe Congress of Trade Unions (ZCTU) Secretary General Wellington Chibebe described in detail the recent shooting of three labor leaders at a government-owned asbestos mine in central Zimbabwe. The workers were shot after a three-week strike had ground production at the mine to a halt; management allegedly called in police and Central Intelligence Organization (CIO) to coerce the workers back to the job. Since the shooting, labor leaders have been fired and continue to face harassment. Chibebe also outlined the status of the current International Labor Organization (ILO) Commission of Inquiry into labor abuses in Zimbabwe. END SUMMARY.

¶2. (U) On October 2, we met with the Secretary General of the Zimbabwe Congress of Trade Unions (ZCTU) Wellington Chibebe, along with the ZCTU lawyer and information officer. Chibebe discussed a recent violent attack on labor leaders at the Shabanie asbestos mine and the outcome of an ILO Commission of Inquiry visit. (NOTE: ZCTU's controversial position on the constitution-making process will be reported septel. END NOTE.)

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Shabanie Mine: Police Shoot  
and Arrest Striking Labor Leaders  
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¶3. (SBU) Chibebe detailed the ongoing and violent labor dispute at the government-owned Shabanie asbestos mine in central Zimbabwe. On September 25, six police officers fired at a crowd and shot three members of the mine's labor committee during a peaceful sit-in at the mine; the shooting came during a protracted and tense strike.

The roughly 2,280 mine workers went on strike on August 31 because they had only been receiving US\$20-US\$40 per month since the beginning of 2009, although their pay slips showed they should be paid US\$150. Management at the mine announced all outstanding wages and allowances would be paid on August 31, but failed to do so, prompting the strike. According to the workers, the company management invited intelligence officers from the CIO to harass workers. Around the third week of the strike, CIO agents briefly abducted some of the labor leaders and threatened them to attempt to get them to go back to work.

¶4. (SBU) The workers refused to go back to work and gathered near the company on September 25 while waiting to meet with the mine directors. The crowd numbered over 1,000 and included some of the workers' spouses. According to ZCTU, management did not attend the meeting and instead sent six riot police armed with AK-47s and teargas. When one of the leaders, Alois Zhou, asked where the management leaders were, the police beat him with a gun and shot him on the leg and hand. Police also threw teargas canisters towards Zhou the leg and hand. Police also threw teargas canisters towards the sitting workers. Two other leaders, Taurai Zhou and Simbarashe Chinhadada, were also shot in the leg as they ran away from police. (NOTE: The three men are all MDC councilors as well as members of the mine's labor committee. END NOTE.) Police also beat one labor leader's wife. She received medical treatment and is now in hiding from the CIO, which is threatening her because they believe she has photos of the incident on her cell phone.

¶5. (SBU) After the shooting, the three men initially went to a nearby public hospital. They were afraid to go to the mine's hospital because the doctor there (Dr. Mataga) is a member of the

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ZANU-PF central committee. When a lawyer from Zimbabwe Lawyers for Human Rights (ZLHR), Tichaona Chivasa, attempted to visit the three in the hospital, police denied him access, arrested him, and charged him with "obstruction of justice." Another lawyer went to the police station several hours later to rescue him, and charges were dropped. The three shooting victims have since been moved to a Harare hospital; one underwent surgery for his injuries.

¶6. (U) Immediately after the sit-in, more than 50 workers were arrested and detained. Nine spent the weekend in jail and, together with the three shooting victims, were charged with public violence. All were released on September 28 on US\$10 bail.

¶7. (U) On September 29, police and armed CIO officers visited other workers at their homes and threatened that they must return to work or face eviction. The same day, armed CIO visited ZCTU's Zvishavane District Secretary at his home and demanded to know what ZCTU planned to do in response to the mine strike. The CIO warned him not to work with the mine workers. Because the majority of mine employees live in mine-owned housing and feared further violence, roughly 75 percent of workers returned to work on September 30. They have not received any of their back pay and expect to be paid US\$20-US\$40 again this month.

¶8. (U) According to ZCTU, eight labor leaders employed at the mine -- including the three shooting victims -- were dismissed on September 30. Their lawyer was not told about the hearing. The workers were charged with being absent from work without leave, defying the memo to return to work, and illegal work stoppage. The eight who were dismissed are known for their MDC activism. Workers who belong to ZANU-PF were reinstated. In a long memo to Minister of Labor Paurina Mupariwa (MDC-T), ZCTU asks what the difference is between "the inclusive government and the colonial masters..." and declares that the incident at Shabanie "proves that slavery is back in Zimbabwe."

¶9. (U) On Friday October 2, co-Minister of Home Affairs Giles Mutsekwa (MDC-T) decried the incident and said that he was disappointed that senior officials at the mine had tried to cover up for the police. Mutsekwa said, "We have repeatedly told the police that they should always refrain from using firearms against defenseless people." He also declared that the government was going

to make the incident a "cabinet issue." ZCTU has called for Mutsekwa and co-Minister Kembo Mohadi (ZANU-PF) to resign and for an official inquiry into the shootings.

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Shabanie: ZANU-PF Cash Cow?  
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¶10. (SBU) The mine has reportedly fallen into disrepair since the Q10. (SBU) The mine has reportedly fallen into disrepair since the Government of Zimbabwe (GOZ) took it over in 2004. After expropriating Shabanie and Mashava Mines (the two largest asbestos mines in Zimbabwe) from SMM Holdings, the government appointed Arafas Gwaradzimba as administrator. According to Chibebe, Gwaradzimba is a "ZANU-PF strongman" closely aligned to Defense Minister Emmerson Mnangagwa, who grew up nearby. SMM was once one of Zimbabwe's largest single employers with close to 6,000 employees and export earnings accounting for a significant proportion of the country's export revenues. The former owner, Mutemwa Mawere, a crusader of the black economic empowerment mantra, fell out with Mugabe and was charged with illegally externalizing foreign currency

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in 2004. Using the charges as justification, the government took over SMM. Mawere fled to South Africa and has been fighting the take-over in court ever since.

¶11. (U) Some observers believe ZANU-PF benefits from the cash flow the Shabanie mine generates, even though the company has not prospered under GOZ management. The Financial Times has reported that the charges against Mawere had kept the mine from securing loans it needs to replace ageing equipment. In a report to Legal Affairs Minister Patrick Chinamasa in May, Gwaradzimba said the situation at the two mines had deteriorated with equipment in urgent need of replacement: "as it stands right now, it is extremely dangerous to carry out mining activities because of the sorry and sad state of the mines' plant and equipment."

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ILO Report on Labor Abuses Forthcoming  
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¶12. (SBU) Turning to the ILO's ongoing, broad investigation into labor rights violations in Zimbabwe, Chibebe explained that the ILO's Commission of Inquiry should release its preliminary report to the ILO governing board by the end of October. (NOTE: The Commission of Inquiry is the ILO's highest level investigation, and the Zimbabwe investigation is only the twelfth that the ILO has ever undertaken. END NOTE.) The Commission began work in February 2009 after ZCTU complained to the international body that the government had violated international labor standards. ZCTU has presented the Commission with information on violations since 2002. The recent incident at Shabanie Mine will be discussed at an ILO meeting in March. Chibebe expects that the governing board will discuss Zimbabwe at its next meeting in November.

¶13. (SBU) The three-member Commission visited Zimbabwe in April and August to investigate the claims. Although they requested to meet with President Mugabe and Attorney General Johannes Tomana, both refused. The delegation did meet with the ZANU-PF Ministers of Information (Webster Shamu) and Foreign Affairs (Simbarashe Mumbengegwi). The delegates were followed by CIO during both visits but were generally free to investigate. The investigation aims to look at whether the government has violated ILO conventions 87 (Freedom of Association and Protection of the Right to Organize) and 98 (Right to Organize and Collective Bargaining).

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COMMENT  
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¶14. (SBU) The shooting at Shabanie is further proof that rule of law and respect for labor rights have not yet returned to Zimbabwe. The entire series of events from the mine's refusal to pay employees their full wage to the lawyer's incarceration when attempting to

visit the victims in the hospital reads like a laundry list of human rights violations - none of which have been adequately addressed by the government. While the ILO Commission of Inquiry will likely produce a damning report documenting labor violations going back to 2002, recent events at Shabanie demonstrate that even international attention probably will not change the situation for workers on the ground absent fundamental change in Zimbabwe's governing process.

END COMMENT.

PETTERSON